IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION No.21649 of 2006

Between:
G.S.N.Murthy

….. PETITIONER

AND
The Competent Authority and Special
Deputy Collector-cum-Land Acquisition Officer,
N.H.5 Authority of India,
Visakhapatnam and 2 others

.....RESPONDENTS

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION No.21649 of 2006

ORDER:

This writ petition is filed by the petitioner, aggrieved by the inaction of the 3rd respondent in disposing of an application filed, in terms of Sec.3(G)(5) of National Highways Act,1956.

It is stated that the petitioner's land was acquired for the purpose of laying road by the National Highway authority, and in the process, acquired Ac.0.21 cents together with certain structures as well as trees. With reference to the said acquired land, the respondents have awarded an amount of Rs.2,10,128/- which is stated to have been paid to the petitioner. Since the petitioner was not satisfied with the amount of compensation, sent a representation in terms of Sub-Sec.(5) of Sec.3(G) of National Highways Act on 03.06.2002 by way of registered post with acknowledgment due, and receipt was acknowledged to that effect, which shows that the said representation was received by the office of the 3rd respondent on 12.06.2002. Since the 3rd respondent did not dispose of the said representation, as he is designated as an Arbitrator under the National High Ways Act, the petitioner has come up with the present writ petition.

A counter has been filed on behalf of the 1st respondent, disputing the application filed by the petitioner as well as pendency of the same. But, in view of the proof of service of the letter or representation, seeking adjudication of the compensation by the petitioner, the writ petition is

being disposed of at this stage.

Since the petitioner's application or representation in terms of Sub-Sec.(5) of Sec.3(G) of the National Highways Act was not disposed of, the 3rd respondent is, therefore, directed to dispose of the said application of the petitioner, which was presented under the above referred provisions of the Act, in accordance with law, after giving notice to both parties, as expeditiously as possible, preferably within a period of three months, from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. No order as to costs.

S.ANANDA REDDY,J

Dated: 20.09.2007
Dsr